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UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) No. CR 11-00930(B)-TJH-MRW
)
Plaintiff,)
)
v.) JOINT STATUS REPORT CONCERNING THE
) COURT-ORDERED MEDICAL EVALUATION OF
) DEFENDANT DAVID KALAI AND REQUEST TO
) CONTINUE THE STATUS CONFERENCE FROM
) SEPTEMBER 29, 2014 TO OCTOBER 6, 2014
)
)
DAVID ALMOG,)
DAVID KALAI, and)
NADAV KALAI,)
)
)
Defendants.) Status Conference: September 29, 2014
)
)
)
)
_____)

Plaintiff, United States of America, through its undersigned
counsel of record, and Defendant DAVID KALAI ("D. KALAI"), through
undersigned counsel, hereby file Joint Status Report Concerning the
Court-Ordered Medical Evaluation Of Defendant David Kalai And

1 Request To Continue September 29, 2014 Status Conference until
2 October 6, 2014 at 10:00 a.m.

3 1. On September 11, 2014, the Court conducted a status conference
4 to address whether Defendant D. KALAI would retain new counsel.
5 At the status conference, defendant D. KALAI, through counsel,
6 requested additional time due to his medical issues to advise
7 the Court as to his decision regarding representation. After
8 hearing from counsel for the parties and reviewing a letter
9 submitted by defendant D. KALAI regarding his medical issues,
10 the Court determined that it would appoint a medical
11 professional to make a determination regarding the impact of
12 defendant's medical conditions on his physical capacity to
13 stand trial. The Court ordered the parties to confer and
14 submit a recommendation for the appointment of such medical
15 doctor to the Court and set a further status hearing for
16 September 29, 2014.

17 2. The parties have contacted several doctors that specialize in
18 geriatric medicine to obtain their *curriculum vitae* and
19 determine when, and if, the doctors would be available to
20 conduct the court-ordered medical evaluation. At the September
21 11, 2014 status conference the Court expressed a desire to have
22 the medical evaluation conducted as soon as possible.

23 3. At the status conference, defendant D. KALAI also informed the
24 Court that he had a doctor's appointment scheduled on Monday,
25 September 15, 2014, and may be scheduled for surgery.

26 4. On September 17, 2014, counsel for defendant D. KALAI advised
27 the government that defendant D. KALAI is scheduled to undergo
28 surgery the week of September 22, 2014. The parties have

1 conferred and agree that any medical evaluation should take
2 place after the surgery (and a short period of time for
3 recovery and for defendant D. KALAI's treating physician to
4 assess his medical condition) so that the Court can be provided
5 with the most complete and accurate assessment of defendant D.
6 KALAI's health and medical prognosis for the near future.

7 5. In light of these recent developments, the parties agree to
8 file a stipulation and proposed order for the Court's review by
9 October 3, 2014 with respect to all issues that can be agreed
10 upon by the parties. If agreement cannot be reached the
11 parties will each file a recommendation concerning their
12 proposed medical professional. The additional time to file the
13 recommendation and/or stipulation will allow the parties to
14 provide the medical professionals contacted with a more
15 accurate assessment of D. KALAI's medical condition and a more
16 accurate time-line for the completion of the medical
17 evaluation.

18 6. The parties respectfully request that the Court continue the
19 September 29, 2014 status conference to October 6, 2014 at
20 10:00 a.m. Given the scheduled surgery, it is unlikely that
21 the parties will have the necessary information to provide the
22 Court with a realistic assessment of defendant D. KALAI's
23 medical condition and availability for evaluation on September
24 29, 2014. On October 6, 2014, the parties will be in a better

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1 position to discuss the medical evaluation and address any further
2 scheduling issues regarding the medical evaluation. Mr. Anthony M.
3 Solis, counsel for defendant NADAV KALAI, has advised government
4 counsel that he is also available on October 6, 2014 at 10:00 a.m.
5 for the proposed status conference.

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7 DATED: September 18, 2014

Respectfully submitted,

8 STEPHANIE YONEKURA
United States Attorney

9 SANDRA R. BROWN
10 Assistant United States Attorney
Chief, Tax Division

11
12
13 /s/
CHRISTOPHER S. STRAUSS
14 ELLEN M. QUATTRUCCI
Trial Attorney
15 U.S. Department of Justice, Tax
Division

16 Attorneys for Plaintiff
17 UNITED STATES OF AMERICA

18
19 DATED: September 18, 2014

RICHARD G. NOVAK

20
21
22 /s/ with permission EMQ
Counsel for DAVID KALAI